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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Shek Fai Lau et al.

Appln. No.: 10/023,197

Confirm. No.: 3618

Filed: December 13, 2001

Title: Electro-Kinetic Air Transporter-Conditioner Device with
Enhanced Cleaning Features

PATENT APPLICATION

Art Unit: 1711

Examiner: Thao T. Tran

Customer No. 23910

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request continued examination (RCE) of the above-identified utility patent application. The subject patent application was filed on or after June 8, 1995 and this paper is being filed prior to the payment of the issue fee, unless a petition under 37 C.F.R. §1.313 is granted; (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. 141, or the commencement of a civil action under 35 U.S.C. 145 or 146, unless the appeal or civil action is terminated. 37 C.F.R. §1.114(a).

Specifically, this RCE is being filed so that the first Information Disclosure Statement (IDS), originally filed on October 8, 2002, and the second IDS originally filed on June 13, 2003, both of which were later re-filed on October 13, 2003, will be considered by the Examiner. Applicants have enclosed herewith a copy of the first and second IDSs, along with their corresponding date stamped post cards evidencing their original submission and their re-submission.

A Notice of Allowance was issued by the USPTO on October 7, 2003. After receiving the Notice of Allowance, Applicants' representative repeatedly contacted the Examiner in an attempt to get the Examiner to consider the references listed in the first and second IDSs. However, the Examiner informed Applicants' representative that the file was unavailable, and thus, that there was nothing that could be done. Because Applicants do not want a patent to issue without the references in the first and second IDSs being considered by the Examiner, Applicants are filing this RCE to ensure that the patent does not go abandoned (and to give the Examiner an opportunity to initial the forms 1449, indicating consideration of the references in the first and second IDSs). Nevertheless, Applicants respectfully submit that they should not have had to file this RCE (nor pay the accompanying fee), because it was the USPTO that had lost the previous two submissions of the first and second IDSs.

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The fee associated with this communication has been calculated as shown below:

- ☒ A fee of \$770.00 is being paid pursuant to 37 C.F.R. §1.17(e) for the filing of this Request for Continued Examination.
- ☒ Please charge Deposit Account No. 06-1325 in the amount of \$770.00. A duplicate copy of this authorization is enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: 1/2/04

By: Jeffrey R. Kurin
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